

**MINUTES**  
**RANDOLPH COUNTY ZONING BOARD OF ADJUSTMENT**  
**August 8, 2000**

There was a meeting held at 6:30 p.m., on Tuesday, August 8, 2000, of the Randolph County Zoning Board of Adjustment in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. Chairman Maxton McDowell called to Order the Randolph County Planning Board Meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the Members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice Chairman, present; Lynden Craven, present; Tommy Boyd, absent; Al Morton, present; Phil Ridge, present; Larry Brown, present; and Mark Brower, Alternate, present (substituting for regular member Tommy Boyd).

3. **SWEARING IN OF THE WITNESSES:**

"Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?"

2 citizens took this Oath.

4. **REQUEST FOR A VARIANCE**

- A. **KENNETH HUFF**, Trinity, North Carolina, is requesting a Variance to allow a 30' x 40' personal accessory building to be constructed without a primary structure and also allow this building to have a 1 ft. side setback in lieu of the required 5 ft. setback. Location: .47 acre, Arbor Drive, Windemere Heights lots 186-189, Trinity Township, Parcel ID# 7727417520, Zoning District RR.

**\*\*Arguments for Granting this Request**

Huff was present and explained that he moved here in '96 and then purchased this field that had been abandoned. Huff said that they were interested in this lot because it had grown up and they were having trouble with snakes coming into their pool (on their lot). Huff said that they were told by the Health Department that the snakes were due to the rats that lived in this abandoned lot. Huff said that he hired an architect to come to take a look at this building. Huff said that his property is probably the nicest in the neighborhood. Huff said that they have spent \$63,000+ on this lot. Huff said that they have cleaned up the property and completely fenced it with an 8' solid cedar fence. Huff said that this architect looked at the building code about the run-off from the building roof and said that with the guttering system would more than handle the water that would come from this roof. Huff said that he would place money in escrow.

Johnson asked Huff if he got a building permit for this and Huff answered no. Huff said that he didn't but he hadn't covered anything up that the inspector needed to see. Johnson

asked Huff if he wasn't a licensed electrical contractor and Huff answered yes. Johnson asked if he didn't realize he needed a permit and Huff said yes. Johnson asked him why didn't he set the building in the center instead of constructing it in violation of the setback regulations. Huff discussed the problems that he got when building his fence with sewage problems from the adjoining property. Huff said that he would have to fill in the property if he hadn't put the building here.

Dorsett asked what his plans were for the remainder of the lot. Huff said all he plans to do is mow the grass.

Dorsett said that sometimes lessons can be expensive but the Board cannot legally give you a variance because this is not a hardship on this property, it is one that you created. Dorsett said that you could have placed the building in such a way as to meet all the requirements.

**\*\*Arguments Against Granting this Request**

Ernest Hall, 3837 Arbor Drive, said that Huff has spent a lot of money on this property but you can't see the property. Hall said that the people in the neighborhood call Huff "Mr. Deep Pockets" because he has spent so much money on this lot. Hall said he did realize that he was building something but you couldn't see what, until the walls started going up. Hall said that he had video to show that the drainage is from Huff's property and not his property. Hall said he didn't mind the garage but he was concerned about the drainage.

**\*\*Board Discussion: Conclusions Based on Findings of Fact**

Brown said that Huff would have had to come to this Board due to the size of the building even if he had gotten his permits.

**Dorsett** said that sometimes a person gets too close to a property line with building a house but he didn't feel this would be

**\*\*Order of the Board of Adjustment**

**Brown** made the motion, seconded by **Craven**, to **deny** this request for a Variance. **Brower** voted against the motion. The motion passed by a 6 to 1 vote.

6. The meeting adjourned. There were 2 people present for this request.

---

**NORTH CAROLINA  
RANDOLPH COUNTY**

---

Planning Director

---

Date

---

Clerk/Secretary